

EXHIBIT B

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Attorneys for Defendant PACIFIC GAS AND ELECTRIC
COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

PACIFIC GAS AND ELECTRIC COMPANY,

Defendant.

Case No. 14-CR-00175-WHA

**DECLARATION OF [REDACTED]
[REDACTED] IN SUPPORT OF PG&E'S
RESPONSE TO REQUEST FOR
FOLLOW UP BY PG&E
CONCERNING ITS OCTOBER 26
SUBMISSION**

Judge: Hon. William Alsup

1 I, [REDACTED], declare as follows:

2 1. I am the Director of Vegetation Management Execution at Pacific Gas
3 and Electric Company (“PG&E”). In this role, I am responsible for overseeing the execution of
4 all of PG&E’s vegetation management programs. I have held this position since July 2019. This
5 declaration is based on my personal knowledge and records in the possession of PG&E that I
6 have reviewed.

7 2. According to CAL FIRE’s website, the Zogg Fire began on September 27,
8 2020 in the area of Zogg Mine Road and Jenny Bird Lane, north of Igo in Shasta County. PG&E
9 first gained access to the area near the intersection of Zogg Mine Road and Jenny Bird Lane on
10 October 10, 2020, following CAL FIRE’s collection of evidence. At that time, PG&E observed
11 that CAL FIRE had collected evidence from three spans of the Girvan 1101 Distribution Circuit
12 (the “Girvan Circuit”) about a quarter mile southeast of the intersection of Zogg Mine Road and
13 Jenny Bird Lane. Those three spans—between pole 103320099 and pole 101457898—are
14 referred to herein as the “area of interest”.

15 *Vegetation Management Work in the Area of Interest*

16 3. PG&E is providing approximate figures for the numbers of trees trimmed
17 or worked as a result of its vegetation management patrols along the Girvan Circuit and in the
18 area of interest based on data input into its Project Management Database (“PMD”) and
19 Vegetation Management Database (“VMD”). At this stage, PG&E has not checked the number
20 of trees reported in the PMD and VMD against the original work orders and other associated
21 paperwork.

22 4. PG&E’s records indicate 14 Gray Pines in the area of interest were
23 identified for work as a result of routine and Catastrophic Event Memorandum Account
24 (“CEMA”) patrols between 2015 and 2020. Of these, PG&E’s records indicate that 11 were
25 identified for removal and subsequently removed. PG&E’s records indicate that the remaining
26 three Gray Pines were identified for trimming and subsequently trimmed.

1 5. PG&E records indicate that approximately 2,150 trees were trimmed or
2 removed as a result of the 2020 routine vegetation management patrol along the Girvan Circuit.
3 Approximately 630 trees were trimmed or removed as a result of the patrol along the portion of
4 the Girvan Circuit that includes the Zogg Mine Road area that occurred in March and April, and
5 1,520 trees were trimmed or removed as a result of the patrol that occurred along the remainder
6 of the Girvan Circuit in February and March. Of those trees trimmed or removed, nine were in
7 the area of interest. Of these nine trees, one Canyon Live Oak was trimmed. The remaining
8 eight trees that were worked—one Black Oak, four Canyon Live Oaks and 3 Gray Pines—were
9 removed.

10 6. PG&E records indicate that approximately 1,370 trees were trimmed or
11 removed as a result of the 2019 routine vegetation management patrol along the Girvan Circuit.
12 Approximately 265 trees were trimmed or removed as a result of the patrol along the portion of
13 the Girvan Circuit that includes the Zogg Mine Road area that occurred in April, and 1,105 trees
14 were trimmed or removed as a result of the patrol that occurred along the remainder of the
15 Girvan Circuit in March and April. Of those trees trimmed or removed, eleven were in the area
16 of interest. Of these eleven trees, two Live Oaks were trimmed. The remaining nine trees that
17 were worked—one Black Oak, four Gray Pines, one Knobcone Pine and three Ponderosa
18 Pines—were removed.

19 7. PG&E records indicate that approximately 140 trees were trimmed or
20 removed as a result of the CEMA patrol along the Girvan Circuit that occurred from January to
21 February 2019. Of those trees that were trimmed or removed, none were in the area of interest.
22 As discussed further below, a separate CEMA patrol of the area of interest was not performed in
23 2019. The CEMA patrol conducted from January to February 2019 covered segments of the
24 Girvan Circuit other than Zogg Mine Road.

25 8. PG&E records indicate that approximately 1,620 trees were trimmed or
26 removed as a result of the 2018 routine vegetation management patrol along the Girvan Circuit.
27 Approximately 345 trees were trimmed or removed as a result of the patrol along the portion of
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1 the Girvan Circuit that includes the Zogg Mine Road area that occurred in October, and 1,275
2 trees were trimmed or removed as a result of the patrol that occurred along the remainder of the
3 Girvan Circuit from July to November. Of those trees trimmed or removed, five were in the area
4 of interest. Of these five trees, one Gray Pine was trimmed. The remaining four trees that were
5 worked—one Gray Pine, one Knobcone Pine and two Live Oaks—were removed.

6 9. PG&E records indicate that approximately 20 trees were trimmed or
7 removed as a result of a 2018 CEMA patrol along the Girvan Circuit. Approximately 10 trees
8 were trimmed or removed as a result of the patrol along the portion of the Girvan Circuit that
9 includes the Zogg Mine Road area that occurred in April, and 10 trees were trimmed or removed
10 as a result of the patrol that occurred along the remainder of the Girvan Circuit in December and
11 January. Of those trees trimmed or removed, one was in the area of interest. This tree—a Gray
12 Pine—was removed. These figures do not account for a small number of trees identified and
13 worked as a result of supplemental patrols under the CEMA program for sections of the circuit in
14 Wildland Urban Interface (“WUI”) areas, which do not include the area of interest.

15 10. PG&E records indicate that approximately 1,970 trees were trimmed or
16 removed as a result of the routine vegetation management patrol along the Girvan Circuit that
17 occurred from October to November 2017. Approximately 315 trees were trimmed or removed
18 as a result of the patrol along the portion of the Girvan Circuit that includes the Zogg Mine Road
19 area that occurred in October and November, and 1,655 trees were trimmed or removed as a
20 result of the patrol that occurred along the remainder of the Girvan Circuit in July and August.
21 Of those trees trimmed or removed, four were in the area of interest. Each of these four trees—
22 two Gray Pines and two Live Oaks—was trimmed.

23 11. PG&E records indicate that approximately 50 trees were removed as a
24 result of 2017 CEMA patrol along the Girvan Circuit. Approximately 10 trees were trimmed or
25 removed as a result of the patrol along the portion of the Girvan Circuit that includes the Zogg
26 Mine Road area that occurred in March, and 40 trees were trimmed or removed as a result of the
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1 patrol that occurred along the remainder of the Girvan Circuit in December 2016. Of those trees
2 trimmed or removed, none were in the area of interest.

3 12. PG&E records indicate that approximately 1,560 trees were trimmed or
4 removed as a result of the routine vegetation management patrol along the Girvan Circuit that
5 occurred from June to July 2016. Of those trees trimmed or removed, three were in the area of
6 interest. Each of these three trees—one Knobcone Pine, one Live Oak, and one Oak—was
7 trimmed.

8 13. PG&E records indicate that approximately 50 trees were trimmed or
9 removed as a result of CEMA patrol along the Girvan Circuit that occurred in March 2016. Of
10 those trees trimmed or removed, one was in the area of interest. This tree—a Ponderosa Pine—
11 was removed. These figures do not account for a small number of trees identified and worked as
12 a result of supplemental patrols performed under the CEMA program for sections of the circuit
13 in WUI areas and Fire Hazard Severity Zones (“FHSZ”).

14 14. PG&E records indicate that approximately 2,200 trees were trimmed or
15 removed as a result of the routine vegetation management patrol along the Girvan Circuit that
16 occurred from June to July 2015. Of those trees trimmed or removed, four were in the area of
17 interest. Two of these trees, one Live Oak and one Knobcone Pine, were trimmed. The
18 remaining two trees—two Gray Pines—were removed.

19 *2019 CEMA Patrol of the Zogg Mine Road Area*

20 15. PG&E tracks routine and CEMA patrols in the PMD. As noted above, for
21 2017 and 2018, routine patrols of the Zogg Mine Road area—including the area of interest—
22 were conducted in the last quarter of the year (October or November). CEMA patrols of the
23 Zogg Mine Road area were offset from the routine patrols by approximately six months and
24 occurred in the earlier part of the year (March in 2017 and April in 2018). The last patrol of the
25 Zogg Mine Road area before 2019 was a routine patrol that occurred in October 2018.

26 16. In early 2019, the scheduled start dates for the routine and CEMA patrols
27 of the Zogg Mine Road area were changed in the PMD. On January 29, 2019, the scheduled
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1 start date for the routine patrol of the Zogg Mine Road area was changed to May 27, 2019. On
 2 March 12, 2019, the scheduled start date for the CEMA patrol of the Zogg Mine Road area was
 3 changed to November 15, 2019.

4 17. I understand from PG&E records that in late March 2019, a review of the
 5 PMD was conducted by a PG&E contractor to attempt to confirm that the scheduled start dates
 6 for all 2019 CEMA patrols were appropriately offset from the scheduled start date of the
 7 corresponding CEMA Patrol. At the time of the March 2019 review, the routine patrol of the
 8 Zogg Mine Road area was scheduled to begin in the third quarter of 2019, and the CEMA patrol
 9 of the Zogg Mine Road area was scheduled to begin in the fourth quarter of 2019.¹

10 18. On April 4, 2019, the scheduled start date of the CEMA patrol for the
 11 Zogg Mine Road area was changed in the PMD from November 15, 2019 to February 15, 2019
 12 (a date in Q1), creating a two-quarter offset from the routine patrol that had been scheduled for
 13 May 27, 2019 (a date in Q3). Because Q1 had already passed by April 4, 2019, the CEMA
 14 patrol of the Zogg Mine Road area registered in PMD as overdue after this change.

15 19. Based on PG&E's records, a CN Utility Consulting ("CNUC") pre-
 16 inspector patrolled the Zogg Mine Road area from April 10 to April 29, 2019. PG&E has
 17 identified two separate records signed by the CNUC pre-inspector who completed this patrol:
 18 one indicating that a routine patrol was conducted from April 10 to 29, 2019, and another
 19 indicating that a CEMA patrol was conducted by the same pre-inspector from April 10 to
 20 April 29, 2019.

21 20. On April 30, 2019, the PMD was updated to reflect that the routine patrol
 22 of the Zogg Mine Road area had been completed from April 10 to April 29, 2019. The PMD
 23 entry for the routine patrol was also updated to record the number of trees that the CNUC pre-
 24 inspector identified for work from April 10 to April 29.

25
 26 ¹ PG&E's pre-inspection calendar begins approximately six weeks prior to the start of the
 27 calendar year, running from November 16 to November 15, as opposed to January 1 to
 28 December 31. Under this calendar, the final dates for each quarter are February 15, May 15,
 August 15 and November 15, for the first, second, third and fourth quarters, respectively.

1 21. On May 8, 2019, the PMD was updated to reflect that the CEMA patrol of
2 the Zogg Mine Road area had been completed from April 10 to April 29, 2019. The PMD entry
3 for the CEMA patrol was also updated to record that no trees had been identified for work as part
4 of the CEMA patrol.

5 22. PG&E's routine vegetation management patrols encompass all of the
6 elements of a CEMA patrol, including inspection for dead, dying and diseased trees. However,
7 PG&E does not regard its routine patrols as counting toward its 2019 WMP target to complete
8 100% of separate CEMA patrols on line miles in the CEMA scope.

9 23. I understand from PG&E records that, at times in 2019, PG&E's
10 vegetation management team gave guidance not to perform a separate CEMA inspection and to
11 close the CEMA project in PG&E's PMD following commencement of the routine patrol in
12 situations where, as a result of risk-based prioritization changes to the routine patrol schedule,
13 the CEMA patrol (the scope of which is subsumed in a routine patrol) had been scheduled close
14 in time to the routine patrol.

1 I declare under the penalty of perjury that the foregoing is true and correct and
2 that I executed this declaration on November 18, 2020 in San Ramon, California.

3 [REDACTED]
4 [REDACTED]

5 [REDACTED]
6 [REDACTED]